

EXHIBIT B

DANIEL MARC CAPLAN

WHEREAS, at least from 2009 to 2012, Caplan, then working as Senior Vice President and an employee of the formerly licensed CFS, was in charge of servicing four mortgage loans that are secured by residential property located in the District and was the individual primarily responsible for said servicing;

WHEREAS, on December 31, 2009, CFS allowed its mortgage lender license to expire yet neither it nor Caplan told any borrowers or their representatives for the four affected loans that CFS was no longer licensed;

WHEREAS, the Department has asserted that after CFS's license expired, Caplan's continued servicing activities necessitated a mortgage lender license as required by the Act;

WHEREAS, because Caplan failed to timely transmit on behalf of CFS some of the monthly payments to the lender, Branch Banking and Trust Company ("BB&T") and also to transmit property tax and insurance payments, the borrowers for the four loans secured by District of Columbia residential property suffered undue financial strain and hardship;

WHEREAS, during a Department investigation DISB determined that CFS had a servicing agreement with BB&T and that after CFS let its dual authority license expire, Caplan continued to service the four loans on behalf of CFS pursuant to the servicing agreement with BB&T;

WHEREAS, Caplan asserts that his failure to obtain a mortgage lender license was due to his failure to understand that the Act's licensing requirements necessitated that he personally obtain a mortgage lender license to continue the servicing of the four loans in the name of CFS;

WHEREAS, when Caplan submitted an application to the Nationwide Mortgage Licensing System to be registered as a mortgage loan originator he stated on his form that he was no longer employed by CFS as of August 2009; however, Caplan continued to service mortgage loans in the name of CFS until at least November 2012;

WHEREAS, it is the responsibility of Caplan to know the licensing laws regarding his participation in servicing activities in the District;

WHEREAS, the Department directs that in the future Caplan comply with all applicable licensing requirements and other provisions of law and regulation applicable to mortgage lending in the District; and,

WHEREAS, Caplan wants to avoid further action by the Department that could result in administrative costs, litigation, or other expenses and the Department also desires to avoid administrative costs, litigation, or other expenses.

NOW, THEREFORE, in consideration of the foregoing promises, and for other good and valuable consideration, the Parties agree as follows:

1. Once CFS no longer was licensed and Caplan continued to provide servicing to the four loans, he should have been licensed as a mortgage lender under the Act as long as he continued to service loans in the name of CFS secured by the four District of Columbia properties.

2. Caplan agrees further that if he determines that he will once again service loans in the District he shall do so in compliance with applicable District law, rules, orders, and policies of the Department.

3. Caplan agrees to pay the Department \$25,000.00 for one (1) violation of the Act, i.e., D. C. Official Code § 26-1103.

4. The total payment of \$25,000.00 shall be payable in forty-eight (48) installments. The first installment of \$260.42 is due on or before November 1, 2013. The second installment of \$781.24 is due on or before December 2, followed by forty-six (46) equal installments of \$530.84 each due on or before the first of each month after December 2, 2013. Each payment shall be paid by certified check or money order, made payable to the D.C. Treasurer and presented by Caplan to Charlotte W. Parker, Assistant Attorney General, Office of the General Counsel, Department of Insurance, Securities and Banking, 810 First Street, N.E., Suite 701, Washington, DC 20002. Any or all of said installments may be accelerated at the option of Caplan.

5. Given that the servicing rights on the four loans secured by District of Columbia property have been transferred to BB&T, by letter dated November 13, 2012, the Commissioner of the Department of Insurance, Securities and Banking hereby lifts the Temporary Order to Cease and Desist as to Daniel Marc Caplan.

6. Caplan acknowledges that any violation of any provision of this Agreement, the Banking Code, any law that applies to mortgage lending in the District, or any regulation promulgated pursuant to the law, may result in the Department taking any and all appropriate enforcement actions in accordance with applicable law. Such actions may include, but are not be limited to, an order to cease and desist, suspension, or revocation of any mortgage-related license, monetary sanctions, and a referral to either the Office of the United States Attorney or to the Office of the Attorney General for possible civil or criminal enforcement actions.

7. Caplan further acknowledges that he has voluntarily entered into this Agreement with full knowledge of the right to a hearing pursuant to the Banking Code and waives all of his rights to a hearing under the Banking Code or the Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §§ 2-501 to -510).

8. This Agreement constitutes the resolution of a disputed matter.

Agreed and Consented to:

DEPARTMENT OF INSURANCE, SECURITIES AND BANKING

BY: A. E. V. Busch 10/17/2013
Hearing Officer _____ Date

RESPONDENT
DANIEL MARC CAPLAN

BY: William P. White 10/17/13
Respondent _____ Date

BY: [Signature] 10/17/2013
Attorney for Respondent _____ Date

APPROVED:

William P. White
William P. White
Commissioner
District of Columbia Department of Insurance, Securities and Banking

Dated this 23rd day of October 2013.



In Witness Whereof, I have hereunto
set my hand and affixed the official seal
of this Department, this 23rd day of
October, 2013.

William P. White

William P. White
Commissioner